

Remarks/Arguments:

With the present amendment, claims 1-3, and 6-52 are pending. Claim 10 has been amended to place it into independent form. New claims 34-52 have been added.

Claim rejections

Claim rejections under 35 U.S.C. §112

Claims 30, 31, and 33 stand rejected under 35 U.S.C. §112, second paragraph, as indefinite for including the phrase "such as." Applicants have deleted the phrase "such as" from claims 30, 31, and 33.

Claim 33 also stands rejected under 35 U.S.C. §112, second paragraph for including the trademark BAYHDOL. Applicant has deleted the trademark BAYHDOL from claim 33.

Claims 9 and 30-33 stand rejected under 35 U.S.C. §112, second paragraph for including improper Markush terminology "selected from at least one member." Applicants have amended claims 9 and 30-33 to delete the phrase "at least one member of." Additionally, Applicants have deleted the second reference to "heparin" in claim 30.

Claim 18 stands rejected under 35 U.S.C. §112, second paragraph for including improper Markush terminology "from the group consisting of" and for containing redundant members. Applicants have amended claim 18 to add the phrase "from the group consisting of" and to delete the redundant member "any combination thereof."

Claim 32 is considered indefinite for including the language "cells of human origin (autologous or allogeneic); cells of non-human origin (xenogeneic)," because the language "autologous or allogeneic" narrows the broad statement of "cells of human origin"; and the language "xenogeneic" narrows the broad language "cells of non-human origin." Applicants have deleted the terms "autologous or allogeneic" and "xenogeneic" from claim 32.

Claim 31 stands rejected under 35 U.S.C. §112, second paragraph for including the phrase "alone or together with other molecules." Applicants have deleted the phrase "alone or together with other molecules."

Applicants have addressed all of the rejections under 35 U.S.C. §112, second paragraph. Reconsideration and allowance of the claims is respectfully requested.

Claim rejections under 35 U.S.C. §102

Claims 1-27 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,231,581 to Shank et al. ("Shank"). Claims 4 and 5 have been cancelled, rendering the rejection of these claims moot.

Claim 1 recites, *inter alia*, a stent comprising: a first section, a second section, and a seam separating the first section and the second section from each another, wherein the first section *and the second section comprise at least one weld along the seam*.

In order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. M.P.E.P. §2131. Furthermore, "the identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) and M.P.E.P. §2131.

Shank fails to disclose or suggest *at least one weld along the seam*, as is recited in claim 1. While Shank does recite welds in Col. 1, line 67 and Col. 4, lines 61-62, Shank fails to disclose or suggest *at least one weld along a seam*, as is recited in claim 1. Because Shank fails to disclose or suggest every limitation of claim 1, Applicants respectfully submit that the rejection of claim 1 is improper and respectfully requests reconsideration and allowance of claim 1.

Claim 10, as amended, recites, *inter alia*, a stent comprising a first section, a second section, at least one securement member, and at least one strengthening member. *At least a portion of the at least one strengthening member is positioned against an inner surface of the at least one securement member, the first section and the second section*.

Shank discloses an anchor 30 having a shank 26, *which defines a hollow 28* and a hook 29. Anchor 30 attaches to wire strands 42. Col 1, lines 61-65. Hollow 28 is specifically recited and shown in FIG. 3. Hollow 28 defines a space between anchor 29 and wire strands 42. FIG. 3 fails to show that wire strands 42 engage anchor 29.

Shank also fails to disclose or suggest at least a portion of the at least one strengthening member positioned *against an inner surface of the at least one securement member, the first section and the second section*, as is recited in claim 10. Because Shank fails to disclose or suggest every limitation of claim 10, Applicants respectfully submit that the rejection of claim 1 is improper and respectfully requests reconsideration and allowance of claim 10.

Claims 2, 3, 6-9, and 12-27 depend from claim 1, and claim 11 depends from claim 10. Applicants respectfully submit that these claims are patentable over the cited prior art for at

least the same reasons as set forth above with respect to claims 1 and 10. Reconsideration and allowance of claims 2, 3, 6-9, and 11-27 is respectfully requested.

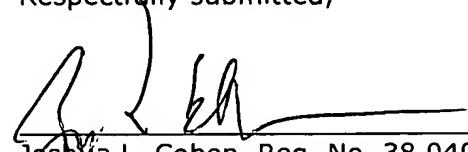
Claim rejections under 35 U.S.C. §103

Claims 28-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shank in view of U.S. Patent Application Publication No. 2003/0139798 to Brown et al. ("Brown"). Claims 28-33 all depend from claim 1, and Applicants respectfully submit that claims 28-33 are all patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 1. Reconsideration and allowance of claims 28-33 is respectfully requested.

Conclusion

In light of the above amendments and arguments, Applicants respectfully submit that the present application is in condition for allowance. Prompt reconsideration and notification of same is respectfully requested.

Respectfully submitted,



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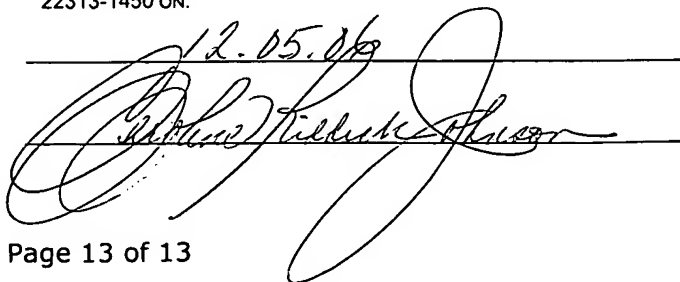
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